

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

NAKISHA JACKSON

VS.

TARRANT COUNTY CORRECTIONS
CENTER, ET AL.

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CIVIL ACTION NO. 4:21-CV-187-O

AMENDED¹ FINDINGS, CONCLUSIONS, AND RECOMMENDATION
REGARDING DEFENDANTS' MOTIONS TO DISMISS

Pending before the Court are two Motions to Dismiss: (1) one filed by Defendants Tarrant County Corrections Center, Tarrant County Clerk, and Judge Cooper [doc. 8] on April 6, 2021 and (2) another filed by Defendants Arlington Police Department and City of Arlington Jail [doc. 10] on April 9, 2021. In orders dated April 7, 2021 [doc. 9] and April 12, 2021 [doc. 13], the Court ordered Plaintiff to file a response to each of the motions. Plaintiff wholly failed to comply with the Court's orders.²

While the Court gave Plaintiff an opportunity to explain why her Complaint was satisfactory and/or request a final opportunity to amend her complaint to plead her "best case," Plaintiff chose not to do so. Consequently, the Court recommends granting the above-listed Motions to Dismiss for the reasons stated in the motions.

¹ This order is amended to include a footnote.

² The Court notes that Plaintiff, on April 16, 2021, filed a Motion for Order to Show Cause Why Clerk Cannot Enter Default Due to Fraud by Opposing Counsel in which she stated, *inter alia*, "If the Judge denies entry of default please allow this to serve as my response to the motion to dismiss and deny the motion to dismiss based on 'improper service and failure to state a claim' because that basis is inaccurate." Neither this Motion nor any other document filed by Plaintiff complied with the Court's April 7 and April 12 orders, which requested Plaintiff to address the substantive issues raised by Defendants in their motions to dismiss by filing a response and a brief to each motion that complied with the Court's Local Rules of the Northern District of Texas.

**NOTICE OF RIGHT TO OBJECT TO PROPOSED
FINDINGS, CONCLUSIONS AND RECOMMENDATION
AND CONSEQUENCES OF FAILURE TO OBJECT**

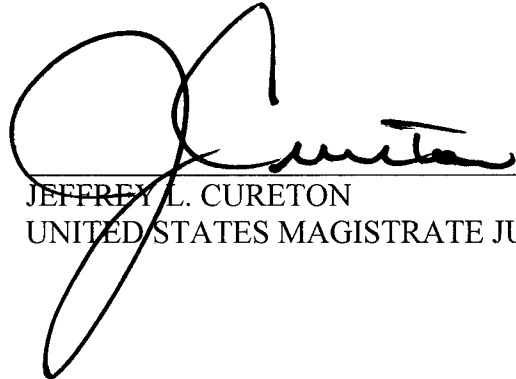
Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge's proposed findings, conclusions and recommendation within fourteen (14) days after the party has been served with a copy of this document. The United States District Judge need only make a *de novo* determination of those portions of the United States Magistrate Judge's proposed findings, conclusions and recommendation to which specific objection is timely made. *See* 28 U.S.C. § 636(b)(1). Failure to file, by the date stated above, a specific written objection to a proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. *See Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

ORDER

Under 28 U.S.C. § 636, it is hereby **ORDERED** that each party is granted until **August 2, 2021** to serve and file written objections to the United States Magistrate Judge's proposed findings, conclusions and recommendation. It is further **ORDERED** that if objections are filed and the opposing party chooses to file a response, the response shall be filed within seven (7) days of the filing date of the objections.

It is further **ORDERED** that the above-styled and numbered action, previously referred to the United States Magistrate Judge for findings, conclusions and recommendation, be and hereby is returned to the docket of the United States District Judge.

SIGNED July 19, 2021.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE